

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

\*\*\* FILED \*\*\*  
10/07/2002

10/03/2002

CLERK OF THE COURT  
FORM R012

HONORABLE EILEEN WILLETT

D. Monroe  
Deputy

CR 2001-005401

FILED: \_\_\_\_\_

STATE OF ARIZONA

NOEL J R LEVY

v.

PETER JAMES LITTLE

DENNIS C JONES

VICTIM SERVICES DIV-CA-CCC

TRIAL MINUTE ENTRY  
DAY 2

10:16 a.m. Trial to jury continues from October 2, 2002.

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury panel is not present, except Juror number 50 is present.

Voir dire examination with Juror number 50 continues.

Juror number 50 is excused for cause.

10:20 a.m. Juror number 50 leaves the courtroom, and Juror number 29 is now present.

Voir dire examination with Juror number 29 continues.

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Juror number 29 is excused for cause.

10:28 a.m. Juror number 29 leaves the courtroom, and Juror number 27 is now present.

Voir dire examination with Juror number 27 continues.

10:36 a.m. Juror number 27 leaves the courtroom.

Discussion is held regarding Juror number 27, as set forth on the record.

10:37 a.m. Juror number 17 is now present.

Voir dire examination with Juror number 17 continues.

Juror number 17 is excused for cause.

10:39 a.m. Juror number 17 leaves the courtroom, and Juror number 15 is now present.

Voir dire examination with Juror number 15 continues.

10:41 a.m. Juror number 15 leaves the courtroom, and Juror number 14 is now present.

Voir dire examination with Juror number 14 continues.

10:46 a.m. Juror number 14 leaves the courtroom, and Juror number 49 is now present.

Voir dire examination with Juror number 49 continues.

Juror number 49 is excused for cause.

10:52 a.m. Juror number 49 leaves the courtroom.

10:54 a.m. The jury panel is now present.

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Voir dire examination of jurors continues.

11:10 a.m. Court stands at recess.

11:10 a.m. In the jury room:

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

Counsel have no additional record to make regarding strikes for cause.

11:11 a.m. Juror number 60 is now present.

Voir dire examination with Juror number 60 continues.

Juror number 60 is excused for cause.

11:15 a.m. Matter in the jury room concludes.

11:16 a.m. Court reconvenes.

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury panel is all present.

Voir dire examination of jurors continues.

11:23 a.m. Court stands at recess.

11:23 a.m. In the jury room:

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State's Attorney: Noel J. R. Levy  
Defendant's Attorney: Dennis C. Jones  
Defendant: Present  
Court Reporter: Troy Kelley

Juror number 23 is present.

Voir dire examination with Juror number 23 continues.

11:28 a.m. Juror number 23 leaves the jury room, and Juror number 52 is now present.

Voir dire examination with Juror number 52 continues.

11:30 a.m. Matter in the jury room concludes.

11:31 a.m. Court reconvenes.

State's Attorney: Noel J. R. Levy  
Defendant's Attorney: Dennis C. Jones  
Defendant: Present  
Court Reporter: Troy Kelley

Voir dire examination of jurors continues.

11:52 a.m. Court stands at recess.

11:53 a.m. In the jury room:

State's Attorney: Noel J. R. Levy  
Defendant's Attorney: Dennis C. Jones  
Defendant: Present  
Court Reporter: Troy Kelley

Juror number 40 is present.

Voir dire examination with Juror number 40 continues.

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12:02 p.m. Juror number 40 leaves the jury room.

Discussion is held regarding identification of jurors who were participating in a discussion prior to commencement of trial today. The Court is inclined to excuse Juror number 40 after identification is made.

Counsel for the Defendant moves for a mistrial and to strike the jury panel.

Argument is heard.

The Court is not inclined to strike the jury panel at this time. Additional information is needed.

12:08 p.m. Matter in the jury room concludes.

12:08 p.m. Court reconvenes.

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury panel is reminded of the admonition.

12:09 p.m. The jury leaves the courtroom, and Court remains in session.

Discussion is held regarding voir dire with gallery jurors not yet seated in the jury box.

Scheduling is briefly discussed.

12:15 p.m. Court stands at recess.

1:39 p.m. Court reconvenes.

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| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury panel is not present, except Juror number 40 is present.

Voir dire examination with Juror number 40 continues.

1:43 p.m. Juror number 40 leaves the courtroom, and Juror number 62 is now present.

Voir dire examination with Juror number 62 continues.

1:45 p.m. Juror number 62 leaves the courtroom, and Juror number 63 is now present.

Voir dire examination with Juror number 63 continues.

1:46 p.m. Juror number 63 leaves the courtroom, and Juror number 64 is now present.

Voir dire examination with Juror number 64 continues.

1:48 p.m. Juror number 64 leaves the courtroom, and Juror number 65 is now present.

Voir dire examination with Juror number 65 continues.

1:49 p.m. Juror number 65 leaves the courtroom, and Juror number 66 is now present.

Voir dire examination with Juror number 66 continues.

1:50 p.m. Juror number 66 leaves the courtroom, and Juror number 67 is now present.

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Voir dire examination with Juror number 67 continues.

1:51 p.m. Juror number 67 leaves the courtroom, and Juror number 68 is now present.

Voir dire examination with Juror number 68 continues.

1:52 p.m. Juror number 68 leaves the courtroom, and Juror number 69 is now present.

Voir dire examination with Juror number 69 continues.

1:53 p.m. Juror number 69 leaves the courtroom, and Juror number 70 is now present.

Voir dire examination with Juror number 70 continues.

1:54 p.m. Juror number 70 leaves the courtroom, and Juror number 48 is now present.

Voir dire examination with Juror number 48 continues.

Juror number 48 is excused for cause.

1:57 p.m. Juror number 48 leaves the courtroom, and Juror number 56 is now present.

Voir dire examination with Juror number 56 continues.

2:00 p.m. Juror number 56 leaves the courtroom, and Juror number 40 is now present.

Voir dire examination with Juror number 40 continues.

Juror number 40 is excused for cause.

2:02 p.m. Juror number 40 leaves the courtroom.

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Discussion is held regarding jury selection and striking Jurors number 62, 67, 68, and 70.

Counsel for the Defendant renews his motion to strike the entire jury panel.

Argument is heard.

The Court will strike Jurors number 62, 67, 68, and 70 for cause.

2:10 p.m. Jurors seated in the jury box are now present in the courtroom.

Voir dire examination continues with these jurors.

2:12 p.m. The jurors leave the courtroom.

Based on the inquiry, the Court overrules Defendant's objection and denies the motion to strike the jury panel at this time.

2:15 p.m. The jury panel is now present.

Voir dire examination of jurors continues.

2:23 p.m. Court stands at recess.

2:25 p.m. In the jury room:

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

Juror number 63 is present.

Voir dire examation with Juror number 63 continues.



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Juror number 63 is excused for cause.

2:30 p.m. Juror number 63 leaves the jury room, and Juror number 66 is present.

Voir dire examination with Juror number 66 continues.

2:35 p.m. Juror number 66 leaves the jury room, and Juror number 47 is present.

Voir dire examination with Juror number 47 continues.

2:43 p.m. Juror number 47 leaves the jury room, and Juror number 15 is present.

Voir dire examination with Juror number 15 continues.

2:50 p.m. Juror number 15 leaves the jury room.

Discussion is held regarding the lunchtime conversation related by Juror number 47.

2:55 p.m. Matter in the jury room concludes.

2:56 p.m. Court reconvenes.

|                       |                 |
|-----------------------|-----------------|
| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury is reminded of the admonition.

2:57 p.m. Court stands at recess.

3:25 p.m. Court reconvenes.

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| State's Attorney:     | Noel J. R. Levy |
| Defendant's Attorney: | Dennis C. Jones |
| Defendant:            | Present         |
| Court Reporter:       | Troy Kelley     |

The jury panel is not present, except Juror number 18 is present.

Voir dire examination with Juror number 18 continues.

3:38 p.m. Juror number 18 leaves the courtroom, and Juror number 69 is present.

Voir dire examination with Juror number 69 continues.

Juror number 69 is excused for cause.

3:47 p.m. Juror number 69 leaves the courtroom, and Juror number 56 is present.

Voir dire examination with Juror number 56 continues.

3:52 p.m. Juror number 56 leaves the courtroom.

The Court is inclined to excuse Juror number 18. There is no objection.

Juror number 18 is excused for cause.

Counsel for the Defendant moves to strike Juror number 56 for cause.

There being no objection, the Defendant's motion to strike Juror number 56 is granted.

Juror number 56 is excused for cause.

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Counsel for the State moves to strike Juror number 47 for cause.

Argument is heard.

State's motion to strike Juror number 47 is granted.

Juror number 47 is excused for cause.

Counsel for the Defendant renews his motion to strike the entire panel.

Argument is heard.

For reasons stated on the record, Defendant's motion to strike the panel is granted and the panel is stricken for cause.

Jury selection will resume on Monday, October 7, 2002. The Court will request that the panel be prescreened for length of the trial. There is no objection.

4:08 p.m. The jury panel is now present.

The jury panel is advised that they are excused from further consideration of this case.

4:11 p.m. Matter concludes.

FILED: Jury List; Trial/Hearing Worksheet.